



**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**  
(English Language Declaration)

File No. 1023.8002

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: IMPROVED INCENTIVE SPIROMETER DEVICE EMPLOYING VERBAL SIMULATED HUMANLIKE VOICES TO ENCOURAGE USAGE, the specification of which (check one):

is attached hereto

was filed on March, 26, 2004, as Serial No. 10/810,876, and was amended on N/A

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability, as defined in Title 37, Code of Federal Regulations §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| <u>Prior Foreign Application(s)</u> |         | <u>Priority Claimed</u> |                          |                          |
|-------------------------------------|---------|-------------------------|--------------------------|--------------------------|
| Number                              | Country | Day/Month/Year          | Yes                      | No                       |
|                                     |         |                         | <input type="checkbox"/> | <input type="checkbox"/> |

I hereby claim the benefit under Title 35, United States Code §119(e) and/or §120, of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations 1.56, which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| <u>Serial No.</u>               | <u>Filing Date</u> | <u>Status</u>  |
|---------------------------------|--------------------|--|
| 60/458,176<br>the<br>was filed) | 03/27/2003         | Expired (Pending at the time<br>present application) |
| 60/379,908<br>the<br>was filed) | 04/11/2003         | Expired (Pending at the time<br>present application) |

I hereby declare that all statements made herein of my own knowledge are true and that all

statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith along with any and all foreign applications filed and foreign patents issued therefrom.

Daniel S. Polley, Registration No. 34,902

Send all correspondence to:

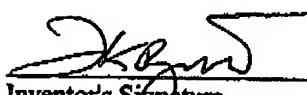
Daniel S. Polley, Esq.  
DANIEL S. POLLEY, P.A.  
1215 East Broward Boulevard  
Fort Lauderdale, Florida 33301

Direct telephone calls to:

Daniel S. Polley, Esq.  
(954) 234-2417

TERRY KEITH BRYANT  
AMERICA

Full Name of Sole or First Inventor

  
Inventor's Signature

UNITED STATES OF

Citizenship

12/23/04  
Date

Singer Island, Florida  
Residence

1281 East Blue Heron Boulevard, Singer Island, Florida 33404  
Post Office Address